

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**In Re:**

**JOANN JONES,**

**Debtor.**

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**CASE NO.: 06-11606-MAM-13**

**MOTION FOR APPROVAL OF EMPLOYMENT OF  
PROFESSIONAL PERSON FOR A SPECIFIC PURPOSE**

**NOTICE OF OPPORTUNITY TO  
OBJECT AND FOR HEARING**

Pursuant to Local Standing Order, the Court will consider this motion, objection, or other matter without further notice or hearing unless a party in interest files a written objection within **20** days from the date of service of this paper. If you object to the relief requested in this paper, you must file your **written** objection stating the specific ground or grounds on which your objection is based with the Clerk of the Court electronically over the internet on the Bankruptcy Court's website at [www.alsb.uscourts.gov](http://www.alsb.uscourts.gov) (And click "electronic filing") as the Bankruptcy Court will no longer accept paper documents, and serve a copy on the movant's attorney, John W. Sharbrough, III, and any other appropriate persons.

If you file and serve a written objection stating the specific ground or grounds on which your objection is based within the time permitted, the Court will schedule a hearing and you will be notified. **If you do not file a proper written objection within the time permitted, the Court will consider that you do not oppose the granting of the relief requested in the paper, will proceed to consider the paper without further notice or hearing, and may grant the relief requested.**

COMES NOW, the undersigned counsel, and respectfully submits the instant application for employment of professional persons pursuant to 11 U.S.C. § 327 of the United States Bankruptcy Code and Rule 2014 of the Bankruptcy Rules of Procedure and in support of said application states as follows:

The Debtor desires to retain John W. Sharbrough, III of *The Sharbrough Law Firm* in Mobile, Alabama, for the specific purpose of recovering damages arising out of a cause of action on behalf of Joann Jones (hereinafter referred to as "Debtor"), against Ameriquest Mortgage Company, an MDL now pending in the Northern District of Illinois.

I, John W. Sharbrough, III, am duly licensed to practice law in the State of Alabama.

I, John W. Sharbrough, III, have been employed by the Debtor to represent her and am familiar with the facts and legal issues involved in the case.

I, John W. Sharbrough, III, does not represent or hold any interest adverse to the Debtor or to the estate with respect to the matter on which such attorney is to be employed.

Attached hereto as Exhibit A is an affidavit executed by John W. Sharbrough, III in support of this application pursuant to 11 U.S.C. § 327 of the United States Bankruptcy Code and Rule 2014 of the United States Bankruptcy Rules of Procedure. I, John W. Sharbrough, III, have no connection with the Debtor, creditors, any parties in interest, the Bankruptcy Administrator, or the Trustee, other than with representation of the estate in this action.

The Debtor has signed an employment contract authorizing the representation of John W. Sharbrough, III of *The Sharbrough Law Firm* regarding the cause of action. The terms of my representation with the Debtor are for compensation on a Contingency Fee Basis in an amount equal to the greater of (a); 33 1/3% of any recovery plus

reimbursement of all reasonable and necessary out of pocket expenses; or, (b) any fee awarded by the Court to be paid separately by Defendant plus reimbursement of all reasonable and necessary out of pocket expenses. . However, if there is no recovery, John W. Sharbrough, III, acknowledges that the bankruptcy estate of Joann Jones shall be not responsible for reimbursement of attorney's fees or for any out-of-pocket expenses.

WHEREFORE, the premises considered, I hereby move this Honorable Court to authorize the employment of John W. Sharbrough, III to represent the estate in the cause of action filed by the Debtor. Upon settlement or completion of the cause of action, John W. Sharbrough, III will apply to the Court for approval of fees and expenses pursuant to 11 U.S.C. §§ 328 of the United States Bankruptcy Code and Rules 2014 of the United States Bankruptcy Rules of Procedure.

Respectfully submitted this the 29<sup>th</sup> day of February, 2008.

/s/ John W. Sharbrough, III  
JOHN W. SHARBROUGH, III (SHARJ0552)

OF COUNSEL:  
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**CERTIFICATE OF SERVICE**

\_\_\_\_\_I do hereby certify that I have on this the 29<sup>th</sup> day of February, 2008, served a copy of the foregoing upon the below listed parties via electronic notification or by placing same in the U.S. Mail, postage prepaid and properly addressed.

John C. McAleer, III  
Chapter 13 Trustee  
P.O. Box 1884  
Mobile, AL 36633

Arthur P. Clarke  
P.O. Box 1666  
Mobile, AL 36633-1666

Stephen J. Bumgarner  
Burr & Foreman, LLP  
420 N. 20<sup>th</sup> Street, Ste 3400  
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Steven J. Shaw  
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Huntsville, AL 35804-0307

/s/ John W. Sharbrough, III  
JOHN W. SHARBROUGH, III

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